

Election

U.S. Serial No. 09/822,672

Atty Reference: 037003-0280062

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REMARKS

Entry of the foregoing amendments is respectfully requested. Support for the new claims may be found at least in the original claims.

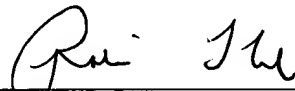
The traversal is in part. In particular, Applicants submit that Claims 72-86 should be examined together since all require the administration of an anti-IL-10 antibody and a B cell depleting antibody for treating B cell lymphoma. As all of these claims require administration of the same active agents, it is submitted that these groups are related and that the required search would be substantially extensive.

Accordingly, modification of the restriction requirement to examine 72-86 and newly submitted claims 87-96 is respectfully requested.

If the Examiner has any questions in connection with this Election, he is respectfully requested to contact the undersigned so that prosecution may be expedited.

Respectfully submitted,

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APPENDIX WITH CHANGES MARKED

In the Claims

Please amend Claim 75 as follows.

75. (Amended) the method of claim [63] 74 wherein said B cell depleting antibody binds to a B cell antigen from the group consisting of CD19, CD20, CD22, CD23, CD27, CD37, CD53, CD72, CD73, CD74, CD ω 78, CD79a, CD79b, CD80, CD81, CD82, CD83, CDw84, CD85 and CD86.

Kindly add the following new claims 87-96.

--87. (New) The method of Claim 75 wherein the B cell depleting antibody binds CD20.

88. (New) The method of Claim 75 wherein the B cell depleting antibody binds CD23.

89. (New) The method of Claim 87 wherein said antibody is a chimeric anti-CD20 antibody.

90. (New) The method of Claim 89 wherein said chimeric anti-CD20 antibody is RITUXAN®.

91. (New) The method of Claim 74 wherein said treating is combined with chemotherapy.

92. (New) The method of Claim 74 wherein said B cell lymphoma is selected from the group consisting of low grade/follicular non-Hodgkin's lymphoma (NHL), small lymphocytic (SL) NHL, intermediate grade/follicular NHL, intermediate grade diffuse NHL, high grade immunoblastic NHL, high grade lymphoblastic NHL, high grade immunoblastic NHL, high grade lymphoblastic NHL, high grade small non-cleaved cell NHL, bulky disease NHL and Waldenstrom's Macroglobulinemia.

93. (New) The method of Claim 74 wherein said antibodies are administered by intravenous, intramuscular, intratumoral or intraperitoneal administration.

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94. (New) The method of Claim 91 wherein said chemotherapy is selected from the group consisting of CHOP, ICE, Mitozantrone, Cytarabine, DVP, ATRA, Idarubicin, hoelzer chemotherapy regime, La La chemotherapy regime, ABVD, CEOP, 2-CdA, FLAG & IDA (with or without subsequent G-CSF treatment), VAD, M&P, C-Weekly, ABCM, MOPP, DHAP, daunorubicin, doxorubicin, methotrexate, and cisplatin.

95. (New) The method of Claim 74 wherein either or both of said antibodies are human, humanized or chimeric antibodies.

96. (New) The method of Claim 74 wherein the dosage of said antibodies range from 0.01 to 1000 mg/kg body weight.